

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EBER G. RUTH,

Plaintiff,

vs.

THOMPSON WEST GROUP PUBLISHING,
et al.,

Defendants.

1:23-cv-01231-GSA-PC

**ORDER DIRECTING THE CLERK'S
OFFICE TO ADMINISTRATIVELY RE-
DESIGNATE THIS ACTION AS A 440
CIVIL ACTION, RANDOMLY ASSIGN A
DISTRICT JUDGE, AND RANDOMLY
REASSIGN A MAGISTRATE JUDGE
OTHER THAN MAGISTRATE JUDGE
GARY S. AUSTIN**

This case was filed on August 18, 2023, by plaintiff Eber G. Ruth, a state prisoner proceeding *pro se*. The action was inadvertently designated at opening as a prisoner conditions-of-confinement case.

Therefore, the Clerk's Office is **HEREBY DIRECTED** to:

1. Re-designate this action as a 440 civil action;
2. Randomly assign this case to a district judge; and
3. Randomly reassign this case to a magistrate judge other than Magistrate Judge Gary S. Austin.

IT IS SO ORDERED.

Dated: August 18, 2023

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE